| (Caption of Case) In the Matter of the Application of Tower Cloud, Inc. for a Certificate of Public Convenience and Necessity to Provide Resold and Facilities-Based Interexchange Telecommunications Services in the State of South Carolina and for Alternative Regulation |                    |                           | ) ) BEFORE THE ) PUBLIC SERVICE COMMISSION ) OF SOUTH CAROLINA ) ) COVER SHEET ) ) DOCKET ) NUMBER: 2010 - 172 C |                  |                           |  |
|--|--------------------|---------------------------|--|------------------|---------------------------|--|
| (Please type or print  |                    |                           |  | 5022             |                           |  |
| Submitted by: Marsha A. Ward   |                    |                           | SC Bar Number: <u>5823</u>   |                  | 220                       |  |
| Address:   | -                  |                           | elephone:  | 404-853-8039     |                           |  |
|  | <del></del>        |                           | ax:<br>Other:  | 404-853-8800     | <u>)</u>                  |  |
| Atlanta, GA 30   |                    |                           |  | Vard@sutherlan   | nd oom                    |  |
| ☐ Emergency R ☐ Other: ☐ INDUSTRY (C   | Relief demanded in |                           | ·  | on Commission    | 's Agenda expeditiously   |  |
| ☐ Electric   |                    | l<br>Affidavit            | Letter   |                  | Request                   |  |
| ☐ Electric/Gas   |                    | Agreement                 | Memorandum   | l                | Request for Certification |  |
| Electric/Telecommunications  |                    | Answer                    | ☐ Motion   |                  | Request for Investigation |  |
| Electric/Water   |                    | Appellate Review          | Objection  |                  | Resale Agreement          |  |
| ☐ Electric/Water/Telecom.  |                    | Application               | Petition   |                  | Resale Amendment          |  |
| ☐ Electric/Water/Sewer   |                    | Brief                     | Petition for Re  | econsideration   | Reservation Letter        |  |
| Gas  |                    | Certificate               | Petition for R   | ulemaking        | Response                  |  |
| Railroad   |                    | Comments                  | Petition for Rul   | e to Show Cause  | Response to Discovery     |  |
| Sewer  |                    | Complaint                 | Petition to Int  | ervene           | Return to Petition        |  |
| □ Telecommunications   |                    | Consent Order             | Petition to Inter  | vene Out of Time | Stipulation               |  |
| ☐ Transportation   |                    | Discovery                 | Prefiled Testin  | mony             | Subpoena                  |  |
| Water  |                    | ☐ Exhibit                 | Promotion  |                  | ☐ Tariff                  |  |
| Water/Sewer  |                    | Expedited Consideration   | Proposed Ord   | er               | Other:                    |  |
| Administrative   | Matter             | Interconnection Agreement | Protest  |                  |                           |  |
| Other:   |                    | Interconnection Amendment | Publisher's Af   | fidavit          |                           |  |
|  |                    | ☐ Late-Filed Exhibit      | Report   |                  |                           |  |



SUTHERLAND ASBILL & BRENNAN LLP

999 Peachtree St., N.E. Atlanta, GA 30309-3996

404.853.8000 Fax 404.853.8806

www.sutherland.com

MARSHA A. WARD

**DIRECT LINE**: (404) 853-8039 Email: marsha.ward@sutherland.com

June 22, 2010

### **VIA ELECTRONIC FILING**

Jocelyn G. Boyd, Esq. Chief Clerk and Administrator South Carolina Public Service Commission 101 Executive Center Drive Columbia, SC 29210

Re: In the Matter of the Application of Tower Cloud, Inc. for a

Certificate of Public Convenience and Necessity to Provide
Resold and Facilities-Based Interexchange Telecommunications

Services in the State of South Carolina and for Alternative Regulation

Docket No.: 2010-172-C

Dear Ms. Boyd:

Please find attached for filing, Affidavits of Publications from the following Newspapers:

| <u>Newspaper</u>     | Date of Publication |
|----------------------|---------------------|
| The Greenville News  | May 25, 2010        |
| The Post and Courier | May 24, 2010        |
| The State            | May 26, 2010        |

If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me.

Sincerely, s/Marsha A. Ward

Marsha A. Ward

MAW/me

Attachments

cc: C. Lessie Hammons (via email: lhammon@regstaff.sc.gov)

ATLANTA AUSTIN HOUSTON NEW YORK WASHINGTON DC

# The Greenville News greenvilleonline.com

# **AFFIDAVIT**

| I, Susan Mullinas                             | , being the            |  |  |
|---|------------------------|--|--|
| Advertising Sales Agent for Gannett, Inc., d  |                        |  |  |
| the attached legal ad was published on        | is notedy testify that |  |  |
| May 25  | , 2010,                |  |  |
| in The Greenville News and/or The Tribut      | ne Times.              |  |  |
|   |                        |  |  |
|   |                        |  |  |
|   |                        |  |  |
|   |                        |  |  |
| Swan Wulling Sales Agent                      |                        |  |  |
| Sales Agent                                   |                        |  |  |
|   |                        |  |  |
|   |                        |  |  |
| Carlotta G. Bll                               |                        |  |  |
| Carlotta G. Bell                              |                        |  |  |
| Notary Public for the State of South Carolina |                        |  |  |

My Commission Expires August 16, 2010

Ad Text:

4611806PUBLIC SERVICECOMMISSION OF SOUTH CAROLINA CLERK'S OFFICE NOTICE OFFILINGANDHEARING DOCKET NO. 2010-172-C Tower Cloud, Inc. ("T-ower Cloud" or "Appl-icant") has filed withthe Public Service Com-mission of South Caroli-na ("Commission") an Application for a Cer-tificate of Public Conve-nience and Necessity toprovide resold and fa-cilities-based interex-change telecommuni-cations services and for alternative regulation. The Applicationwas filed pursuant to S.C. Code Ann. §58-9-280 and the rules and regulations of the Com-mission. The Applicantrequests its interex-change services offer-ings be regulated in ac-cordance with the pro-cedures established for alternative regulation in Order Nos. 1995-1734and 1996-55 in DocketNo. 1995-661-C and asmodified by Order No.2001-997 in Docket No.2000-407-C. TowerCloud intends to offerinterexchange back-haul service to wireless carriers from variouscell tower locations to the carriers' mobiles witching centerthroughout the State. The Applicant will not serve any end-user re-tail customers. A copy of the Compa-ny's entire Application an be found on theCommission's websiteat www.psc.sc.gov un-der Docket No. 2010-172-C. A copy of the Application is alsoavailable from MarshaA. Ward, Esquire, Su-therland, Asbill & Bren-nan, LLP, 999 PeachtreeSt., NE, Atlanta, GA30309. PLEASE TAKE NOTICE ahearing on the abovematter has been sched-uled to begin at 10:00a.m. on Monday, Au-gust 9, 2010, before aHearing Examiner, inthe Commission's LawLibrary at 101 ExecutiveCenter Drive, SaludaBuilding, Columbia, South Carolina 29210. Any person who wishesto participate in thismatter, as a party of re-cord with the right ofcross-examination, should file a Petition to Intervene in accordance with the Com-mission's Rules of Prac-tice and Procedure onor before June 22, 2010, and indicate the amount of time re-quired for his presenta-tion. Please include anemail address for rec-eipt of future Commis-sion correspondence in the Petition to Inter-vene. Please refer toDocket No. 2010-172-C. Any person who wishesto testify and presentevidence at the hearingshould notify theClerk's Office, in writ-ing, at the address be-low, the Office of Regu-latory Staff at 1401Main Street, Suite 900, Columbia, South Caroli-na 29201, and MarshaA. Ward, Esquire, at theabove address, on orbefore June 22, 2010, and indicate theamount of time re-quired for his presenta-tion. Please refer to Docket No. 2010-172-C. Any person who wishesto be notified of anythange in the hearing, but does not wish topresent testimony orbe a party of record, may do so by notifying the Clerk's Office, inwriting, at the addressbelow on or beforeJune 22, 2010. Pleaserefer to Docket No.2010-172-C. PLEASE TAKE NOTICE: Any person who wishesto have his or her

com-ments considered aspart of the official re-cord of this proceedingMUST present suchcomments, in person,to the Commission dur-ing the hearing. Persons seeking infor-mation about the Com-mission's Proceduresshould contact theCommission at (803)896-5100. Public ServiceCommission ofSouth Carolina Attn: Clerk's Office Post Office Drawer11649 Columbia,South Carolina 29211

#### THANK YOU FOR YOUR ADVERTISEMENT!

If I can be of further assistance, please call: Susan

4229

Page 220 of 251

## AFFIDAVIT OF PUBLICATION

# The Post and Courier

State of South Carolina

County of Charleston

Personally appeared before me the undersigned advertising clerk of the above indicated newspaper published in the city of Charleston, county and state aforesaid, who, being duly sworn, says that the advertisement of

(copy attached)

appeared in the issues of said newspaper on the following day(s):

05/24/10 Mon PC 05/24/10 Mon CNW

at a cost of

\$303.96

Account#

242101

Order#

318173

P.O. Number:

Subscribed and sworn to before

A.D.

My commission expires

SOUTH CAROLINA CLERK'S OFFICE

Any person who wishes to have his or her comments come as part of the official of this proceeding MUST present such comments, in person, to the Commission during the hearing.

Persons seeking informa-tion about the Commis-sion's Procedures should contact the Commission at (803) 896-5100.

Public Service Commis-sion of South Carolina Aftn: Clerk's Office Post Office Drawer 11649

# SOUTH CAROLINA NOTICE OF 1996-55 in Doc 1995-661-C and 2001-997 in Docket No 2000-407-C. Towe nterexchange back from various tower locations to carriers' mobile switching enter throughout ot serve any end-use copy of the Company's entire Application can be May 26, 2010 psc.sc.gov under et No. 2010-172-C ibrary at 101 Executiv outh Carolina 29210, ny person who wishes participate in this matas a party of record the right of crossnission's Rules of before June 22, presentation at the hearing uld notify the Clerk'

### THE STATE MEDIA CO., INC. Columbia, South Carolina publisher of



### STATE OF SOUTH CAROLINA COUNTY OF RICHLAND

Personally appeared before me, Brian Nalepa, Advertising Operations Manager of THE STATE, and makes oath that the advertisement,

Notice of Filing and Hearing – Docket 2010-172-C Tower Cloud Inc.

was inserted in THE STATE, a daily newspaper of general circulation published in the City of Columbia, State and County aforesaid, in the issue(s) of

ubscribed and sworn to before me

h this day

May 28, 2010

Herreman

commission expires

rch 10, 2013

**Notary Public** 

3. The

"Errors- the liability of the publisher on account of errors in or omissions from any advertisement will in no way exceed the amount of the charge for the space occupied by the item in error, and then only for the first incorrect insertion."